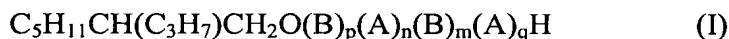


REQUEST FOR RECONSIDERATION

Claims 1-2 and 5-10 are active.

The claimed invention provides an alkoxyate mixture comprising the alkoxyates of the formula (I)



as described in Claim 1 of the present application. In the mixture from 85 to 96% by weight is an alkoxyate A1, in which C_5H_{11} is $n\text{-C}_5\text{H}_{11}$, and from 4 to 15% by weight is an alkoxyate A2, in which C_5H_{11} is $\text{C}_2\text{H}_5\text{CH}(\text{CH}_3)\text{CH}_2$ and/or $\text{CH}_3\text{CH}(\text{CH}_3)\text{CH}_2\text{CH}_2$.

According to the structure of formula (I) the alkoxyates contain four blocks of ethyleneoxy and propyleneoxy units attached in the specific order beginning at O- of propyleneoxy-ethyleneoxy-propyleneoxy-ethyleneoxy. This specific order and the relative proportions of each block is a significant aspect of the claimed invention according to which the claimed invention provides surface active substances having an optimum set of performance properties including low aquatotoxicity, low odor due to unreacted alcohol, rapid wetting, low foaming and low surface tension.

The rejection of Claims 1-2 and 5-10 under 35 U.S.C. 103(a) over Ruland et al. (WO 03/091192 equivalent to U.S. 7,371,716) is respectfully traversed.

Applicants have claimed priority to German Application 10348420.5 which was filed October 14, 2003, and herewith submit a translation of the priority document and a statement of accuracy to perfect the priority date.

WO 03/091192 was first published November 6, 2003, which is after the priority date of the present application as perfected herewith. As the filing date of the priority document antedates the reference, WO 03/091192 is not available as a reference.

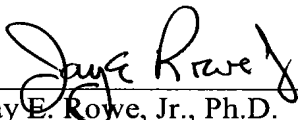
Application No. 10/575,760
Reply to Office Action of June 22, 2009

Accordingly, Applicants respectfully submit that the cited reference cannot be cited as a reference and withdrawal of the rejection of Claims 1-2 and 5-10 under 35 U.S.C. 103(a) over Ruland is respectfully requested.

Applicants respectfully submit that the above-identified application is now in condition for allowance and early notice of such action is earnestly solicited.

Respectfully submitted,

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